

MINUTES OF THE SPECIAL MEETING OF THE FAIRFAX COUNTY
REDEVELOPMENT AND HOUSING AUTHORITY COMMITTEE OF THE WHOLE

March 8, 2006

On March 8, 2006, the Committee of the Whole of the Fairfax County Redevelopment and Housing Authority (FCRHA) met in the FCRHA Board Room, One University Plaza, 4500 University Drive, Fairfax, Virginia.

CALL TO ORDER

FCRHA Chair Conrad Egan called the meeting of the FCRHA to order at 7:13 p.m. FCRHA Commissioners present or absent for a portion or all of the meeting were as follows:

PRESENT

Conrad Egan
Ronald Christian
Martin Dunn
Willard Jasper
John Kershenstein
Elisabeth Lardner
John Litzenberger
Al McAloon
Lee A Rau
Joan Sellers

ABSENT

H. Charlen Kyle

Also present at the meeting were the following staff of the Department of Housing and Community Development (HCD): Paula C. Sampson, Director; Mary A. Stevens, Deputy Director; Harry Swanson, Deputy Director for Revitalization and Real Estate; Tom Fleetwood, HCD Strategic Planner; Michael Trent, Network/Telecommunication Analyst II, Information Systems and Services; (ISS); John Payne, Director, Real Estate and Revitalization Division (R&R); Cynthia Ianni, Director of Design Development and Construction Division (DD&C); Tom Overocker, Chief, Housing Rehabilitation, DD&C; Roberta Butler, Development Officer, DD&C; Tom Devaney, Housing Community Developer IV, R&R; Steve Solomon, Director, Financial Management Division (FMD); Aseem Nigam, Director, Real Estate Finance and Grants Management Division (REFGM); Audrey Spencer-Horsley, Associate Director, REFGM; Elisa Johnson, Grants Coordinator, R&R; and Winifred A. Clement, FCRHA Assistant. Other Fairfax County staff in attendance: Alan Weiss and David Stroh, Assistant County Attorneys and FCRHA Counsel.

PRESENTATION

PROPOSED MOBILE/MANUFACTURED HOME REPLACEMENT POLICY

A presentation on the FCRHA mobile home replacement policy was given by Tom Overocker, Chief of Housing Rehabilitation, aided by Cynthia Ianni, Director, Design, Development and Construction Division. In his presentation, Mr. Overocker discussed the difference between a mobile home and a manufactured home and addressed specific concerns raised by Commissioners at a prior meeting, including the sale of mobile home parks in the County; the long-term asset value of the home; the limited capacity to meet this need; and the need for a clear policy. Following the presentation, the FCRHA requested that an item on the policy be brought back in May. HCD staff was encouraged to work along with Commissioners Lardner and Dunn in refining the proposed policy before bringing it back in May.

ACTION ITEMS

1. RESOLUTION NUMBER 19-06

AUTHORIZATION TO WAIVE THE GROUND LEASE ACCRUAL AT CASTELLANI MEADOWS FOR A PORTION OF CALENDAR YEAR 2003 AND ALL OF 2004, 2005 AND 2006 (SULLY DISTRICT)

Now therefore be it resolved that the Fairfax County Redevelopment and Housing Authority (FCRHA), waives the ground lease accrual for Castellani Meadows for a portion of 2003 and all of 2004-2005 in the amount of \$124,000 and 2006 in the amount of \$48,000 as described in the Action Item presented to the FCRHA at its meeting on March 8, 2006;

Be it further resolved that the FCRHA authorize its Chairman, Vice Chairman or any Assistant Secretary to execute all documents, agreements, and instruments necessary to effectuate this action.

A motion was made by Commissioner Litzenberger, seconded by Commissioner Jasper, that the FCRHA adopt Resolution Number 19-06.

A presentation on the Resolution was given by Steve Solomon, HCD Director of Financial Management. After the presentation, Mr. Solomon responded to questions from the Commissioners.

A vote was taken after discussion, and the motion carried unanimously.

2.

RESOLUTION NUMBER 08-06

ADOPTION OF CASH-OUT REFINANCING POLICY

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the adoption of the attached Cash-out Refinancing Policy for projects previously funded by Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME) and Affordable Housing Partnership Program (AHPP) funds, where the grantee is a nonprofit organization or nonprofit affiliate thereof.

Chairman Egan disclosed that as a board member of the Community Preservation and Development Corporation, he would abstain from voting, but that he would lead the discussion.

A presentation was made by Aseem Nigam, Director, REFGM, explaining the proposed policy. He indicated that the third bullet under Attachment #2 should be corrected to read, "30 years for both homeownership and rental", because of the recent change in the ADU Ordinance, which increased the control period to 30 years from 15 years for homeownership and 20 years for rental. After the presentation and discussion, Mr. Nigam responded to questions from the Commissioners.

Given an opportunity to provide input on the proposed policy, representatives of non-profit organizations in the audience expressed concerns regarding the proposed policy as written, such as the perception of non-profits being singled out, the proposed policy being overly restrictive, and the inflexibility they felt the policy presents for developers in the use of funds.

MOTION

After further discussion, a motion was made by Commissioner Christian, seconded by Commissioner Sellers, that the proposed Cash-Out Refinancing Policy item be reviewed at a joint Planning and Development and Finance Committee meeting, with three or four representatives of the nonprofit developers present, before resubmission to the FCRHA for consideration. A vote was taken, and the motion carried, with Commissioner Egan abstaining. No action was taken on Resolution 08-06.

3. ADOPTION OF UPDATE TO MODERATE INCOME DEFINITION POLICY
AND AMENDMENT TO THE FISCAL YEARS 2006 AND 2007 FCRHA
STRATEGIC PLAN ACTION PLANS, INCORPORATING THE UPDATED
MODERATE INCOME DEFINITION POLICY

NOW THEREFORE, BE IT RESOLVED, THAT the Fairfax County
Redevelopment and Housing Authority (FCRHA) adopts:

1. The updated moderate income definition policy, as presented to the FCRHA at its meeting on March 16, 2006; and
2. The amendments the Fiscal Years 2006 and 2007 Strategic Plan Action Plans incorporating the updated moderate income definition policy, as presented to the FCRHA at its meeting on March 16, 2006.

Following a brief discussion, action was deferred to a later meeting.

CLOSED SESSION

A motion was made by Commissioner Dunn, seconded by Commissioner Jasper, that the Fairfax County Redevelopment and Housing Authority meeting as a committee of the whole ("FCRHA") go into Closed Session for (a) discussion and consideration, pursuant to Virginia Code Section 2.2-3711(A)(3), of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the FCRHA and (b) consultation with legal counsel for the FCRHA, pursuant to Virginia Code Section 2.2-3711(A)(7), regarding specific legal matters requiring the provision of legal advice by such counsel.

A vote was taken, the motion carried, and the FCRHA went into Closed Session at 9:01 p.m.

OPEN MEETING

A motion was made by Commissioner Dunn, seconded by Commissioner Kershenstein, that the members of the Fairfax County Redevelopment and Housing Authority certify that to the best of their knowledge only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Closed Session were heard, discussed or considered.

A vote was taken by roll call as follows:

AYE

Conrad Egan
Ronald Christian
Martin Dunn
Willard Jasper
Elizabeth Lardner
John Litzenberger
John Kershenstein
Albert McAloon
Lee Rau
Joan Sellers

NAY

ABSTAIN

The motion carried and the FCRHA resumed Open Meeting at 9:48 p.m.

ADJOURNMENT

With no other matter for consideration, with unanimous consent, the meeting was adjourned at 9:52 p.m.

(Seal)

Conrad Egan, Chair

Paula C. Sampson, Assistant Secretary